

Attorney's Docket No.: 10559/366001 / P10172

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Thue M. Pontoppidan et al.
Serial No. : 09/843,170
Filed : April 26, 2001
Title : NETWORK MANAGEMENT

Art Unit : 2154
Examiner : Ashokkumar Patel

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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SAN DIEGO

DECLARATION OF ESBEN CARLSEN UNDER 37 C.F.R. § 1.131

I, Esben Carlsen, currently residing at Amiralsgatan 14A, 303, 21144 Malmö, Sweden, do hereby declare as follows:

1. I am a co-inventor, along with Thue M. Pontoppidan, of the invention claimed in the above-identified patent application.

2. Prior to July 5, 2000, Thue M. Pontoppidan and I invented the subject matter of the claims of this patent application while being employees of Intel Corporation, currently having a place of business at 2200 Mission College Blvd., Santa Clara, CA 95052. At least as early as July 5, 2000, we conceived of and proceeded to diligently reduce to practice the invention claimed in the above-referenced patent application.

3. This is evidenced by a written invention disclosure, which was the basis of the above-referenced patent application, and which we prepared for submission to patent counsel at least as early as July 5, 2000. The invention disclosure contents describe the invention, and a redacted copy of the invention disclosure is included along with this declaration. The invention disclosure form itself is considered confidential to Intel Corporation, and each date on the form supports statement 2 above.

4. The U.S. Publication No. 2003/0069848A1 cited by the U.S. Patent and Trademark Office is from the U.S. Application 09/828,702 filed on April 6, 2001, and no priority filing information is included in U.S. Publication No. 2003/0069848A1. The U.S. Publication

CERTIFICATE OF TRANSMISSION BY FACSIMILE

I hereby certify that this correspondence is being transmitted by facsimile to the Patent and Trademark Office on the date indicated below.

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No. 2002/0067742A1 cited by the U.S. Patent and Trademark Office is from the U.S. Application 09/729,234 filed on December 5, 2000, and no priority filing information is included in U.S. Publication No. 2002/0067742A1. Therefore, the evidence and statement of facts described in this declaration provides a prima facie showing that the invention date of our claimed invention was at least prior to the earliest priority date of U.S. Publication No. 2003/0069848A1 and U.S. Publication No. 2002/0067742A1.

The U.S. Publication No. 2002/0059457A1 cited by the U.S. Patent and Trademark Office is from the U.S. Application 09/899,648 filed on July 6, 2001, claiming priority to U.S. Provisional Patent Application No. 60/216,088, filed July 6, 2000, and no additional priority filing information is included in U.S. Publication No. 2002/0059457A1. Therefore, the evidence and statement of facts described in this declaration provides a prima facie showing that the invention date of our claimed invention was at least prior to the earliest priority date of the U.S. Publication No. 2002/0059457A1.

5. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

Date: 23 Aug 2005
Esben Carlsen

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